IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE PIUS C.KURIAKOSE

TUESDAY, THE 20TH MARCH 2007 / 29TH PHALGUNA 1928

WP(C).No. 9034 of 2007(A)

PETITIONER:

DR.T.G.RAJIV, AGED 54 YEARS,
S/O GANGADHARAN, THARANILATH, KODANADU P.O.,
PERUMBAVOOR, ERNAKULAM DISTRICT.

BY ADV. SRI.R.RENJITH

RESPONDENTS:

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1. STATE OF KERALA, REPRESENTED BY THE
SECRETARY, DEPARTMENT OF LOCAL SELF GOVERNMENT,
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM.

2. KOOVAPPADY GRAMA PANCHAYATH,
REPRESENTED BY ITS SECRETARY,
KOOVAPPADY P.O., PERUMBAVOOR,
ERNAKULAM DISTRICT.

3. LAIJU, AGED 33 YEARS, S/O CHANDRAN,
MANJELIL HOUSE, KODANAD KARA,
ALATTUCHIRA P.O., PERUMBAVOOR,
ERNAKULAM DISTRICT.

R1 BY ADV. SMT. T.B. RAMANI, GOVT. PLEADER.
R2 BY ADV. SRI. N. MANOJ KUMAR, SC.
R3 BY ADV. SRI.MILLU DANDAPANI

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 20/03/2007,THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

PIUS C. KURIAKOSE, J.

W.P.(C) No. 9034 OF 2007

Dated this the 20th day of March, 2007

JUDGMENT

As rightly pointed out by Smt.Jayasree, counsel for the 2nd respondent-Panchayat the only prayer in the Writ Petition is that the Panchayat shall not issue a licence to the 3rd respondent without following the mandatory provisions contained in the Panchayat Raj Act and relevant rules. The learned Counsel submitted that the Panchayat will faithfully follow the mandatory statutory provisions and relevant rules while considering the licence application submitted by the petitioner.

2. Sri.Millu Dandapani appearing for the 3rd respondent also submitted that the 3rd respondent will not aspire for any licence in violation of the statutory provisions or the rules.

I record the submissions of the counsel for the Panchayat and also those of Sri.Millu Dandapani and dispose of the Writ Petition directing the 2nd respondent to take a decision on issuance of licence on the 3rd respondent strictly in accordance with the provisions contained in Panchayat Raj Act and the relevant rules. Before taking up licence application for final orders, if the petitioner is desirous of being heard, he is free to make a request before the Panchayat in that regard in which case the same will be granted.

PIUS C. KURIAKOSE, JUDGE

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